

Federal Communications Commission
Washington, D.C.

March 6, 2000

DOCKET FILE COPY ORIGINAL

New England and Vicinity of the Amherst Alliance
c/o Wesle AnneMarie Dymoke
POB 2346 East Side
Providence, RI 02906-2346

Re: Acceptance of Comments As Timely Filed in (MM Docket No. 99-325)

The Office of the Secretary has received your request for acceptance of your pleading in the above-referenced proceeding as timely filed due to operational problems with the Electronic Comment Filing System (ECFS). Pursuant to 47 C.F.R. Section 0.231(I), the Secretary has reviewed your request and verified your assertions. After considering arguments, the Secretary has determined that this pleading will be accepted as timely filed. If we can be of further assistance, please contact our office.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas
Magalie Roman Salas *WFC*
Secretary

FFB 29 2000

FCC 1200 100-1

Wednesday 23 February 2000

Wesle AnneMarie Dymoke
POB 2346 East Side
Providence RI 02906-2346
wesdym@yahoo.com
401.581.1028

Ms. Magalie Roman Salas
Secretary
Federal Communication Commission
Office of the Secretary
445 12th Street SW Room TW-204B
Washington DC 20554


Dear Ms. Salas:

Enclosed please find ten (10) original, signed copies of my Request for Extension in the Matter of MM Docket No. 99-325 regarding IBOC-DAB and Terrestrial Broadcasters.

This request is late-filed and is here submitted per instructions given to me by Mr. Christopher Maxwell of WRFR, Richmond Free Radio Project, who received them from you. I realise that this is irregular, but as Mr. Maxwell has stated, the continued problems with ECFS have made this last-minute process necessary, and I ask you to accept my apologies for this late filing, and ask you to accept them for timely filing, in consideration of the special problems with ECFS as described by Mr. Maxwell and others.

Thank you very much for your very valuable help in this matter.

Sincerely,



Wesle AnneMarie Dymoke

Regional Coordinator for New England and Vicinity
The Amherst Alliance

Founder, Board of Directors
Providence Community Radio, Inc., NPO

PS: ECFS Confirmation number :
2000223558532

No. of Copies rec'd 049
List A B C D E

Wednesday 23 February 2000

MOTION FOR EXTENSION OF REPLY-COMMENT PERIOD FOR 99-325
DUE TO FAILURE OF ECFS SYSTEM TO ALLOW ACCESS TO COMMENTS
Please Accept this motion as Accepted for Timely Filing due to failure of
ECFS systems

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of Digital Audio Broadcasting Systems and Their Impact On the
Terrestrial Radio
MM DOCKET NO. 99-325
Broadcast Service

From: Wesle AnneMarie Dymoke of Rhode Island
POB 2346 East Side
Providence RI 02906-2346
wesdym@yahoo.com
401.581.1028

Notice of Affiliation:

Wesle AnneMarie Dymoke is Regional Coordinator for New England and Vicinity of the Amherst Alliance, Don Schellhardt, National Coordinator and Co-Founder;

Ms. Dymoke is also founder of Providence Community Radio, Inc., NPO, formed for the purpose and intent of mounting and operating an LPFM facility under the rules of FCC Publ. 00-19, *Rule and Order* in the Matter of MM Docket No. 99-25, Creation of a Low Power Radio Service (LPFM);

Ms. Dymoke is also an adjunct witness for Amherst and in her own right in the Matter of H.R. 3439, the Radio Broadcast Preservation Act of 1999, currently before the US House of Representatives, Committee on Commerce, Subcommittee on Telecommunications, Trade, and Consumer Protection, per Chairman Wm. Tauzin of Louisiana.

In Re: MM DOCKET NO. 99-325, Digital Audio Broadcasting (DAB) Systems and Their Impact On the Terrestrial Radio:

It has come to my attention that the Electronic Comments Filing System (ECFS) maintained by the Federal Communications Commission has not been operating at the minimum adequate level of data and text transfer and download reliability and accuracy which would be required for potential commenters in this Matter to properly read, review, evaluate, and respond to comments of other filers in this Matter. As of this writing, I am informed that ECFS is still not operating properly and adequately for this purpose, nor, we must presume, for the accurate and reliable electronic filing of comments.

It has been further relayed to me that this problem has been consistently evident for a period of no less than two weeks, and that this period includes the period during which a request for extension of the deadline for comments or reply comments would normally be expected and required.

I submit that this level, duration, and timing of inadequate functioning of ECFS is an acceptable and appropriate reason for approval of this and all other requests for extension, and therefore implore the Commission to find in favour of these requests.


ECFS
FEB 29 2000

I further support in whole the remarks and arguments of Mr. Christopher Maxwell, of the Virginia Center for The Public Press, Radio Free Richmond Project, in his request for extension, and in his special additional reasons for extension, i.e., very new data, insufficient notice and review by small terrestrial broadcasters who may be affected by IBOC and have not had adequate opportunity to review the available data themselves, and because an IBOC test station being used, in part, to measure effects of IBOC is transmitting at a level considered to be only a portion of the maximum or, perhaps, even average levels expected of IBOC service.

I submit that commenters need more data, more time to collect and evaluate data, and more time to read and review comments filed at the FCC by other commenters before it is possible to describe adequate public study, review, and input in this Matter.

I therefore urge the Commission to grant this request for extension in the above Matter.

Respectfully submitted,



Wesle AnneMarie Dymoke of Rhode Island

Regional Coordinator for New England and Vicinity
The Amherst Alliance

Founder, Board of Directors
Providence Community Radio, Inc., NPO

Enclosures: This request is being filed electronically via ECFS on this date, 23 February 2000; also, ten (10) original and signed hard copies are being mailed this day, per instructions of FCC Secretary Ms. Magalie Roman Salas.

ECFS Confirmation Number: 2000223558532

Wednesday 23 February 2000

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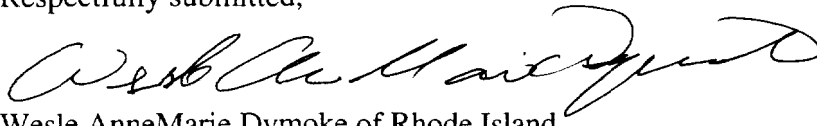
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